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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,815	09/29/2003	Kenneth W. Bair	RYL 2 0535-3-3-2-1-1	2219

7590 01/07/2005

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1100 Superior Avenue  
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EXAMINER

TILL, TERRENCE R

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Examiner-Initiated Interview Summary</b>	Application No.	Applicant(s)	
	10/673,815	BAIR ET AL.	
	Examiner	Art Unit	
	Terrence R. Till	1744	

**All Participants:**

(1) Terrence R. Till.

(2) J. Moldovanyi.

**Date of Interview:** 1 June 2005

**Status of Application:** Allowed

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Time:** \_\_\_\_\_

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

**Exhibit Shown or Demonstrated:** ☐ Yes ☐ No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

*Obvious-type double patenting*

Claims discussed:

*claim 21*

Prior art documents discussed:

*Yonkers '722 (cited in IDS)*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Terrence R. Till

(Examiner/SPE Signature)

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature – if appropriate)

Paper No. 20050105

Continuation of Substance of Interview including description of the general nature of what was discussed: On 1/4/05, a call was made to applicant's representative to inform him that the letter and IDS received 10/12/04 were filed concurrently with payment of the issue fee. As such, the IDS was not filed after payment of the issue fee as alleged in applicant's representative's comments [37 CFR 1.97(i)]. Applicant's representative was asked if they would be filing a petition and associated fee to have the IDS considered. Applicant's representative replied that they were not and that they simply want the IDS made part of the file. The examiner also indicated to applicant's representative that claim 21 of the allowed application appears to be rejectable over patent '817 to Bair et al. (cited in IDS of 10/12/04) in view of Yonkers '722 in an obvious-type double patenting rejection. On 1/6/05, Applicant's representative called the examiner to inform him that the patent '817 to Bair et al. had been listed in a terminal disclaimer filed 7/15/04 (see certificate of mailing). Therefore, no double patenting rejection exists and the unconsidered IDS filed 10/12/04 will be placed in the file.